

### **REMARKS**

The drawings were objected to because reference character 66 has been used to designate both the user controls and the digital processor on Figure 3. By this amendment, Figure 3 has been changed so that reference character 90 has been used to designate the user controls. Accordingly, this change should remove the Examiner's objection to the drawings.

The disclosure was objected to because of the noted informalities. By this amendment, changes have been made to the specification to correct for typographical errors. Accordingly, these changes should remove the Examiner's objection to the disclosure.

Claim 1 was rejected under 35 USC 103(a) as being unpatentable over Misawa et al. (US 5,444,482), supported by Legall et al. (US 5,929,916).

By this amendment, claim 1 has been changed to more clearly set forth the present invention. More specifically, claim 1 has been amended to particularly point out that the method includes capturing a motion image sequence and accompanying audio of a scene with a digital video camera adapted to record both low resolution motion image sequences and high resolution still images, and simultaneously capturing a still image sequence having full resolution images and lower frame rate than the motion image sequence, wherein the full resolution images represent images with more pixels than are represented by the low resolution motion image sequences.

Misawa et al. and Legall et al., taken singly or in combination, fail to disclose or suggest simultaneously capturing a still image sequence and a motion image sequence, as set forth in amended claim 1.

Misawa et al. teach a digital electronic camera for capturing and storing still and motion images on a single data recording medium. The camera taught by Misawa et al. includes two modes of operation: a still picture mode and a movie picture mode. As stated in col. 2, lines 45-49 of Misawa et al., "digital camera 1 is adapted to be operative in response to a manipulation of an operator to selectively record in optical disk 25 image data representing a still image of an object and

consecutive images of the object in the form of movie pictures.” (Emphasis added)

See also, Misawa et al., col. 1, line 68 – col. 2, line 14, and col. 10, lines 37-45.

Misawa et al. do not teach simultaneously capturing a motion image sequence and a still image sequence as set forth in amended claim 1 of the present application.

Moreover, Legall et al. fail to satisfy the deficiencies found in Misawa et al. described above, assuming that the references could be combined. The Examiner stated that “Legall et al. discloses that by using MPEG a user obtains low and full resolution images, the I-frames being full resolution and the B-frames and P-frames the low resolution frames. Applicants respectfully disagree with the Examiner’s statement. In MPEG, the I-frame, P-frame and B-frame all have the same resolution, and only the “compressed” bit budget is different for the different frame types, as described in col. 11, line 66 – col. 12, line 2 of Legall et al. Thus, the I-frame will have more “compressed” bit budget than the P and B frames. This is very different than teaching the simultaneous capture of low and full resolution images, wherein the full resolution images represent images with more pixels than are represented by the low resolution images, as set forth in amended claim 1. Therefore, combining Legall et al. with Misawa et al. still does not teach or suggest capturing a motion image sequence and accompanying audio of a scene with a digital video camera adapted to record both low resolution motion image sequences and high resolution still images, and simultaneously capturing a still image sequence having full resolution images and lower frame rate than the motion image sequence, wherein the full resolution images represent images with more pixels than are represented by the low resolution motion image sequences, as set forth in amended claim 1. Accordingly, it is submitted that the invention of amended claim 1 distinguishes over the prior art and withdrawal of the 103(a) rejection of claim 1 is requested.

Claims 2-7 were rejected under 35 USC 103(a) as being unpatentable over Misawa et al. (US 5,444,482) in view of Yamagishi (US 6,104,752) and supported by Legall et al. (US 5,929,916).

By this amendment, claim 2 has been changed to more clearly set forth the present invention. More specifically, claim 2 has been amended to particularly point out that the digital motion/still camera includes means for automatically providing

a repeating sequence of full resolution image frames regularly interspersed between reduced resolution image frames, wherein the full resolution image frames represent images with more pixels than are represented by the reduced resolution image frames.

Amended claim 2 is believed to be patentable over the prior art cited by the Examiner. As previously described, Misawa et al. teach a digital electronic camera which has a still picture mode and a movie picture mode. An operator selectively records either a still image of an object or consecutive images of an object in the form of movie pictures. In contrast to Misawa et al., the digital motion/still camera set forth in amended claim 2 simultaneously captures a motion image sequence and a still image sequence such that a repeating sequence of full resolution image frames regularly interspersed between reduced resolution image frames is automatically provided. Thus, as shown in the capture sequence of Figure 4 of the present application, a single capture mode automatically results in the capture of an alternating series of both full resolution and reduced resolution images of a subject.

Moreover, Yamagishi and Legall et al. fail to satisfy the deficiencies found in Misawa et al., assuming that the references could be combined. Legall et al. is directed to encoding video images using a MPEG-2 compliant encoder. Yamagishi teaches storing picture data in either the I frame buffer memory area, the P frame buffer memory area or the B frame buffer memory area of the MPEG frame buffer memory. See Yamagishi, col. 7, lines 11-18. As previously described with respect to claim 1, in MPEG, the I-frame, P-frame and B-frame all have the same resolution. Only the "compressed" bit budget is different for the different frame types so that the I-frame will have more "compressed" bit budget than the P and B frames. Thus, Yamagishi and Legall et al., taken singly or in combination, still fails to teach or suggest automatically providing a repeating sequence of full resolution image frames regularly interspersed between reduced resolution image frames, wherein the full resolution image frames represent images with more pixels that are represented by the reduced resolution image frames, as set forth in amended claim 2. Accordingly, it is submitted that the invention of amended claim 2 distinguishes over the prior art and withdrawal of the 103(a) rejection of claim 1 is requested.

Claims 3-7 depend on amended claim 2. Accordingly, claims 3-7 are believed to be patentable over the prior art for at least the reasons set forth above with respect to claim 1, and withdrawal of the 103(a) rejection of claims 2-7 is requested.

Claim 8 was rejected under 35 USC 103(a) as being unpatentable over Misawa et al. in view of Yamagishi as applied to claim 1 above, and further in view of Balakrishnan et al. (US 6,208,691).

Claim 8 depends on amended claim 2. Accordingly, claim 8 is believed to be patentable over the prior art for at least the reasons set forth above with respect to claim 2, and withdrawal of the 103(a) rejection of claim 8 is also requested.

If there are any formal matters remaining after this response, Applicants' attorney would appreciate a telephone call to attend to these matters.

In view of the foregoing, it is believed that none of the references, taken singly or in combination, disclose the claimed invention. Accordingly, this application is believed to be in condition for allowance, the notice of which is respectfully requested.

The Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company Deposit Account No. 05-0225.

*A duplicate copy of this communication is enclosed.*

Respectfully submitted,



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Enclosures: Replacement Figure 3